



City of Grand Island

Tuesday, February 27, 2018

Council Session

Item F-3

**#9679 - Consideration of Addendum for Sale of Property at 4808
Gold Core Drive**

Staff Contact: Tim Luchsinger, Jerry Janulewicz

Council Agenda Memo

From: Tim Luchsinger, Utilities Director
Jerry Janulewicz, City Attorney

Meeting: February 27, 2018

Subject: Ordinance #9679 - Consideration of Addendum for Sale of
Property at 4808 Gold Core Drive

Presenter(s): Tim Luchsinger, Utilities Director

Background

In the 1980's, the Utilities Department purchased property east of Highway 281 between Schimmer Road and Wildwood Drive that would be later developed into the Platte Valley Industrial Park. All of this property has been sold to developers with the exception of approximately nine acres at 4808 Gold Core Road.

A Request for Proposals for Real Estate Broker Services of City Owned Property at 4808 Gold Core Drive in Grand Island, Nebraska was issued and advertised in accordance with City Procurement Policies. One response was received from Tracy Babcock of Century 21 Da-Ly Realty, and a listing agreement with her was authorized by Council on December 12, 2017.

The property at 4808 Gold Core Road was listed for sale by Ms. Babcock on December 13, 2017 for \$300,000.00 through the multiple listing service and two offers were received as of the morning of December 14, 2017.

The highest offer was by Lyne Realty, L.P., for \$325,000.00, conditional on performing environmental and boundary surveys by the buyer. Upon review of this offer, the listing agent, Legal, and Utilities staff recommended that this was the highest responsive bid for the property at 4808 Gold Core Road.

Discussion

The executed Farm, Land and Ranch Agreement executed by the City and the Buyer indicated both the legal lot description and the lot size. The lot size of 9.03 acres was obtained from the County Assessor's office and used in the advertisement of the property. The agreement also included the provision for a Phase 1 environmental survey and a boundary survey by the Buyer. The completed boundary survey resulted in an actual lot

size of 8.91 acres. The Buyer subsequently requested consideration of a pro-rated deduction of the purchase price of \$4,336.00, for a final price of \$320,664.00. City staff has reviewed this request and recommend approval.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the deduction of \$4,336.00, for a final property price of \$320,664.00.

Sample Motion

Move to approve the deduction of \$4,336.00, for a final property price of \$320,664.00.



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This area reserved for the Register of Deeds

ORDINANCE NO. 9679

An ordinance approving an Addendum to the Purchase - Sale Agreement for the conveyance of property between the City of Grand Island ("City") and Lyne Realty, L.P., 2201 Scott Avenue, Fort Worth, Texas ("Purchaser"); providing for the giving of notice of such conveyance and the terms thereof; providing for the right to file a remonstrance against such conveyance; and providing for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The Purchase - Sale Agreement between City and Purchaser as amended by the Addendum thereto dated February 7, 2018 is hereby approved and authorized with respect to City's conveyance to Purchaser the following described real estate located at 4808 Gold Core Drive, Grand Island, to wit:

Platte Valley Industrial Park Third Subdivision to the City of Grand Island, Lot 13, Hall County, Nebraska (the "Property").

Approved as to Form ☐ _____
February 22, 2018 ☐ City Attorney

ORDINANCE NO. 9679 (Cont.)

SECTION 2. In consideration for such conveyance the Purchaser shall pay \$320,664.00 cash consideration at closing and, as additional consideration the Purchaser will be responsible for the cost of recording the deed, and one-half of the costs for the title insurance and closing costs. Conveyance of the real estate above described shall be by warranty deed pursuant to the terms and conditions of the Farm, Ranch and Land Purchase Agreement between City and Purchaser as amended by the Addendum thereto dated February 7, 2018.

SECTION 3. As provided by law, notice of such conveyance and the terms thereof shall be published for three consecutive weeks in the Grand Island Independent, a newspaper published for general circulation in the City of Grand Island. Immediately after the passage and publication of this ordinance, the City Clerk is hereby directed and instructed to prepare and publish said notice.

SECTION 4. Authority is hereby granted to the electors of the City of Grand Island to file a remonstrance against the conveyance of such within described real estate; and if a remonstrance petition against such conveyance is signed by registered voters of the City of Grand Island equal in number to thirty percent of the registered voters of the City of Grand Island voting at the last regular city election held in such City be filed with the City Council within thirty days of passage and publication of such ordinance, said property shall not then, nor within one year thereafter, be conveyed.

SECTION 5. Ordinance No. 9673 and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication in one issue of the Grand Island Independent as provided by law.

ORDINANCE NO. 9679 (Cont.)

Enacted: February 27, 2018.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk